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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,254	08/17/2005	Hermann Gaessler	10191/3720	1136
26646 7590 03/07/2008 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004				
EXAMINER ESHETT, ZEALAJEM				
ART UNIT 3748		PAPER NUMBER		
MAIL DATE 03/07/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,254

Applicant(s)

GAESSLER ET AL.

Examiner

Zelalem Eshete

Art Unit

3748

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12, 14, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 13 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This Office action is in response to request for consideration filed on 12/07/2007.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 12,14,20,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cardelli et al. (EP 1010867) in view of Schwab (DE4024496).

Regarding claim 12: Cardelli discloses a method for regulating a d.c. converter for at least two electromagnetic valves of an internal combustion engine (see figure, numeral 16; abstract), the method comprising: supplying each of the at least two electromagnetic valves with a current that is generated by the d.c. converter (see figure).

Cardelli fails to disclose determining when a total current supplied to the at least two electromagnetic valves constitutes a high load for the d.c. converter; and if a high load is determined, adapting the d.c. converter for processing of the high load.

However, Schwab teaches determining when a total current supplied to the at least two electromagnetic valves constitutes a high load for the d.c. converter; and if a high load is determined, adapting the d.c. converter for processing of the high load (see figures 1, 2; abstract). Schwab further teaches that such arrangement provides rapid operation (see abstract).

It would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify the system of Cardelli by providing the arrangement as taught by Schwab in order to provide rapid operation as taught by Schwab.

Regarding claim 14: Schwab discloses the high load for the d.c. converter is derived from overlapping currents of the at least two electromagnetic valves (see figure 2).

Regarding claim 20: Cardelli discloses a computer-readable storage medium for storing computer program having instructions for controlling, when the program is executed by a computer (see figure), a method comprising: supplying each of the at least two electromagnetic valves with a current that is generated by the d.c. converter (see numeral 16)

Cardelli fails to disclose determining when a total current supplied to the at least two electromagnetic valves constitutes a high load for the d.c. converter, and if a high load is determined, adapting the d.c. converter for processing of the high load.

However, Schwab teaches determining when a total current supplied to the at least two electromagnetic valves constitutes a high load for the d.c. converter, and if a high load is determined, adapting the d.c. converter for processing of the high load (see figures 1,2; abstract). Schwab further teaches that such arrangement provides rapid operation (see abstract).

It would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify the system of Cardelli by providing the arrangement as taught by Schwab in order to provide rapid operation as taught by Schwab.

Regarding claim 21: Cardelli discloses a device for regulating a d.c. converter for at least two electromagnetic valves of an internal combustion engine in a motor vehicle (see numeral 16), a current generated by the d.c. converter being supplied to each of the at least tow electromagnetic valves (see figure).

Cardelli fails to disclose the device comprising: a control unit configured to determine when a total current supplied to the at least two electromagnetic valves represents a high load for the d.c. converter, wherein the control unit regulates the d.c. converter for optimal processing of the high load.

However, Schwab teaches the device comprising: a control unit configured to determine when a total current supplied to the at least two electromagnetic valves represents a high load for the d.c. converter, wherein the control unit regulates the d.c.

converter for optimal processing of the high load (see figures 1, 2; abstract). Schwab further teaches that such arrangement provides rapid operation (see abstract).

It would have been obvious to one having an ordinary skill in the art at the time the invention was made to modify the system of Cardelli by providing the arrangement as taught by Schwab in order to provide rapid operation as taught by Schwab.

Allowable Subject Matter

3. Claims 13,15-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments with respect to claims 12-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zelalem Eshete whose telephone number is (571) 272-4860. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3748

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Zelalem Eshete/
Primary Examiner, Art Unit 3748